



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 6553-99

16 March 2000

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 w/attachments
(2) Case Summary
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the United States Navy filed enclosure (1) with this Board requesting a change in his reenlistment code.

2. The Board, consisting of Mr. Silberman, Mr. Neuschafer and Ms. McCormick, reviewed Petitioner's allegations of error and injustice on 14 March 2000 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Enclosure (1) was filed in a timely manner.

c. Petitioner enlisted in the Navy on 16 February 1999 at age 20. He was referred for evaluation after he repeatedly refused to jump off the tower into the pool. He was subsequently diagnosed as having a specific phobia of water and heights. Based on the diagnosed phobia he was processed for separation due to erroneous enlistment. On 22 March 1999 the separation authority directed an entry level separation. He was so separated on 30 March 1999. At that time he was not recommended for reenlistment and was assigned an RE-4 reenlistment code.

d. Regulations allow for the assignment of several

different reenlistment codes, including RE-3E and RE-4, when an individual is separated due to erroneous enlistment.

CONCLUSION:

Upon review and consideration of all the evidence of record the Board concludes that Petitioner's request warrants favorable action. The Board notes that Petitioner apparently had no problems in recruit training other than those resulting from his phobia. The Board is aware that although his condition makes him unsuitable for Naval service other branches of the service may not require that an individual jump off a tower into a pool. Given the circumstances, the Board concludes that, in retrospect, the RE-4 reenlistment code is inappropriate and should now be changed to RE-3E. This code will alert recruiters that there is a problem which must be resolved before enlistment can be authorized, but will not preclude the submission of a waiver package.

The Board further concludes that this Report of Proceedings should be filed in Petitioner's service record so that all future reviewers of his Navy record will understand that reenlistment in the Navy would not be appropriate.

RECOMMENDATION:

- a. That Petitioner's naval record be corrected to show that on 30 March 1999 he was assigned an RE-3E reenlistment code vice the RE-4 reenlistment code now of record.
- b. That this Report of Proceedings be filed in Petitioner's naval record.
4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

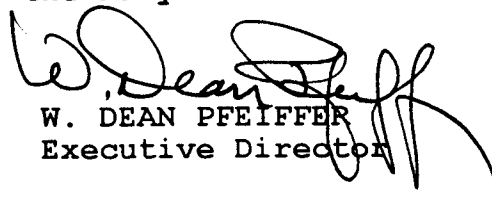
ROBERT D. ZSALMAN
Recorder



ALAN E. GOLDSMITH
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the

authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.


W. DEAN PFEIFFER
Executive Director